

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

**UNITED STATES *ex rel.*, LIUBOV SKIBO
and EDWARD PATT, BRINGING THIS
ACTION ON BEHALF OF THE UNITED
STATES OF AMERICA, THE STATES OF
CALIFORNIA, COLORADO,
CONNECTICUT, FLORIDA, GEORGIA,
INDIANA, LOUISIANA, MARYLAND,
MASSACHUSETTS, MICHIGAN, NEW
JERSEY, NEW MEXICO, NEW YORK,
NORTH CAROLINA, TENNESSEE, TEXAS,
VIRGINIA and WASHINGTON, and THE
DISTRICT OF COLUMBIA,**

**Plaintiffs,
v.**

**GREER LABORATORIES, INC., a North
Carolina Corporation, ARES LIFE
SCIENCES, an Investment Partnership based
in Bailiwick of Jersey, Channel Islands,
ALLERMED LABORATORIES, INC., a
California Corporation, ALK-ABELLO, INC.
a Delaware Corporation, and ALLERGY
LABORATORIES, INC., an Oklahoma
Corporation,**

Defendants.

CIVIL FILE NO. 5:13CV110

ORDER

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B); and California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Louisiana, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Washington, Wisconsin, the Commonwealths of Massachusetts and Virginia, and the District

of Columbia (collectively referred hereafter as "the Plaintiff States") having declined to intervene in this action pursuant to their respective state statutes, the Court rules as follows:

IT IS ORDERED that,

1. the complaint and any amendments thereto be unsealed and served upon the defendants by the relators;
2. all other contents of the Court's file in this action remain under seal and not be made public or served upon the defendants, except for this Order and The Government's Notice of Election to Decline Intervention and the Plaintiff States' Notice of Election to Decline Intervention, which the relators will serve upon the defendants only after service of the complaint;
3. the seal be lifted as to all other matters occurring in this action after the date of this Order;
4. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States and the Plaintiff States. The United States and the Plaintiff States may order any deposition transcripts and are entitled to intervene in this action, for good cause, at any time;
5. the parties shall serve all notices of appeal upon the United States and the Plaintiff States;
6. all orders of this Court shall be sent to the United States and the Plaintiff States;
7. should the relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval;

8. should the relators elect to file a Motion of Voluntary Dismissal without Prejudice, the written consent of Virginia must be obtained by counsel in advance of filing; and

9. in accordance with the terms of the Maryland False Health Claims Act, Md. Code Ann., Health Gen, § 2-604(a)(7), the State of Maryland having declined to intervene in this matter, all claims asserted on behalf of Maryland are hereby dismissed without prejudice.

IT IS SO ORDERED,

Signed: April 20, 2016



Richard L. Voorhees
United States District Judge

